

PEACE OFFICER STANDARDS AND TRAINING COMMISSION

INFORMAL HEARING

NOVEMBER 21, 2013

1:00 P.M.

AGENDA

**PEACE OFFICER STANDARDS AND TRAINING COMMISSION
INFORMAL HEARING SUBCOMMITTEE**

NOVEMBER 21, 2013

HEARING REQUESTED

APPEARING:

LAVERGNE PD – SMITH, MARENO DANIELLE

Officer was terminated on 6-20-13 for Gross Misconduct and Conduct Unbecoming of an Officer as well as violation of multiple departmental General Orders, the Law Enf. Code of Ethics, the Oath of Honor he took as a LaVergne Police Officer and state laws. While attending a DARE Officer School located at Natchez Trace State Park complaints against the officer were made for acting in an unprofessional manner, sexually harassing female officers in the class as well as the Resort Staff and fighting with other officers.

Correspondence was mailed on 10-23-12 and received and green card was signed on 10-26-13.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

MEMPHIS PD – BORGSTROM, JOHN CHEMERYS

Officer resigned on 8-15-13 prior to an administrative hearing. Officer plead guilty to TCA. 55-10-401: DUI (Child Endangerment) in Fayette County Criminal Circuit Court. Officer states that he is under the jurisdiction of the court until July, 2014.

Correspondence was mailed on 8-15-13 and received and green card was signed on 10-28-13.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

MEMPHIS PD – REINSBERG, AARON GERALD

Officer was terminated on 5-20-13. Officer sexually assaulted a female on 1-20-13. Officer obtained the victim's address by accessing the Shelby County W.A.S.P. application, which he had no statutory authority to do so. The following regulations were violated:

DR – 104 – Personal Conduct

DR – 101 – Compliance with Regulations to wit Computer Equipment

Correspondence was mailed on 11-1-13 certified and regular mail and to date neither has been returned. Correspondence was mailed for previous meeting and received the day of the meeting, but no response has been received.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

MEMPHIS PD – WOODSON, BRANDON MICHAEL

Officer resigned on 8-5-13 prior to a hearing. Officer did not report for duty on 6-16-13 as scheduled. He failed to bring copies of his military training orders after being told to do so by his Lieutenant. Officer was not truthful when giving an explanation for his failure to report to work and for the late notice he gave of his military training schedule. The following regulations were violated:

DR - #108 – Truthfulness

DR- #111 – Disobedience of an Order

DR - #1105 – AWOL

Correspondence was mailed certified on 10-23-13 to two separate addresses. On 11-18-13, letter returned Not Deliverable as Addressed. On 11-19-13 second letter returned “Unclaimed”.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

MEMPHIS PD – MONGER, CORNELIUS PENETO

Officer was terminated on 4-12-13. Officer was arrested on 11-27-12 after Shelby County Investigators presented evidence to the Grand Jury requesting an indictment for Rape, Statutory Rape by an Authority Figure and Incest against him. The following regulations were violated:

DR-104 Personal Conduct

Correspondence was mailed on 10-23-13 both certified and Regular mail to same address and to date neither of the letters have been returned.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

METRO NASHVILLE PD – PATTON, JOHN THOMAS

Officer retired on 5-16-13 prior to the completion of an internal investigation by the Office of Professional Accountability, however the criminal investigation is still pending. Officer served on the board of the Una Antioch Recreation Center as Vice President, and in his capacity had access to funds which the organization claims the former officer has taken money for his own personal use to exceed \$17,000. As a result he was disempowered and the department vehicle searched to find pornographic magazines, sexual devices, TN. Lottery tickets and financial documents indicating Chapter 13 bankruptcy was filed. Officer has violated the following policies:

MNPD Manual 4.20.040(B)(1) Personal Behavior: Adherence to Law

TCA. 39-14-103- Theft of Property

4.20-040 (D) – Personal Behavior: Conduct Unbecoming an Employee of the Dept.

Correspondence was mailed on 8-21-13 and received and green card was signed 8-27-13.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

TN. DEPT. OF SAFETY- THP – MARSHALL, LEON TERRY

Officer was terminated on 6-9-08 for Gross Misconduct. Officer unlawfully arrested and “field Un-arrested” an individual who was the subject of his unauthorized investigation. His actions were unlawful and unethical and when questioned he misled investigators by fabricating non-existent North Carolina case law in reference to the “field un-arrest” and stating that the ADA told him his actions were acceptable based on the fabricated case law. ADA stated that he never told him that he approved of his actions nor did he ever cite North Carolina case law to justify officer’s actions. ADA indicated that his actions were unlawful under TCA 39-15-402 – Official Misconduct, TCA. 39-16-403 Official Oppression and TCA 39-16-502 Filing a False Report. Officer appealed to the Civil Service board and on 12-4-09 an Initial Order was entered upholding the termination.

Correspondence was mailed on 10-23-13 and green card signed on 10-28-13 and returned.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

MURFREESBORO PD – MESSICK, ANDREW LEE

POST received an Agreed Order of Retirement for the offense of Casual Exchange on the above officer. Correspondence was forwarded to his attorney to request that he surrender his POST Certificate per the agreement with the courts. On 11-12-13, correspondence from Mr. Messick was received surrendering his POST Certification.